



**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER PRIOR PATENTS**

In re Application of: Chad Cori Huval, Stephen Randall Holmes-Farley, John S. Petersen and Pradeep K. Dhal

Application No. 10/025,184

Filed: December 19, 2001

Confirmation No.: 8481

For: A PHARMACEUTICAL COMPOSITION FOR TREATING HYPERCHOLESTEROLEMIA

The owner, Genzyme Corporation of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 6,083,497, 6,264,938 and 6,248,318. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

The undersigned is empowered to act on behalf of the owner.

March 13, 2007
Date


Signature

Bart G. Newland

Typed or printed name

Vice President Intellectual Property
Genzyme Corporation
Name of Corporation

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STATEMENT UNDER 37 CFR § 3.73(b)Applicant/Patentee: Chad Cori Huval, Stephen Randall Holmes-Farley, John S. Petersen and Pradeep K. DhalApplication No./Patent No.: 10/025,184 Filed/Issue Date: December 19, 2001For: A PHARMACEUTICAL COMPOSITION FOR TREATING HYPERCHOLESTEROLEMIA

Genzyme Corporation, a Corporation
 (Name of Assignee) Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. the assignee of the entire right, title and interest in the patent application identified above; or
- B. an assignee together with [] of the entire right, title and interest in the patent application identified above.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel [], Frame [], or a copy thereof is attached.

OR

- B. A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: Chad Cori Huval, Stephen Randall Holmes-Farley, John S. Peterson and Pradeep K. Dhal
 To: GelTex Pharmaceuticals, Inc.

The document was recorded in the United States Patent and Trademark Office at
 Reel 010126, Frame 0578-0582, or a copy thereof is attached.

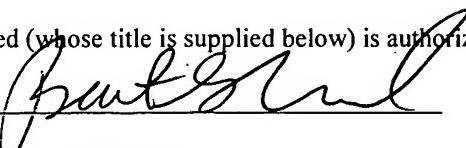
2. From: GelTex Pharmaceuticals, Inc. To: Genzyme Corporation
 The document was recorded in the United States Patent and Trademark Office at
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3. From: _____ [] To: _____ []
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Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature 

Name: Bare G. Newland

Title: Vice President Intellectual Property

Date: March 13, 2007